

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

LLOYD F. AUDETTE,

Plaintiff,

v.

ADRIAN CARRILLO, M.D., et al.,

Defendants.

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C.A. No. 15-13280-ADB

ORDER

BURROUGHS, D.J.

1. The motion for leave to proceed *in forma pauperis* [Dkt. No. 9] is GRANTED. Because the plaintiff has been without funds for six months and is currently without funds, no initial partial filing fee is assessed. Pursuant to 28 U.S.C. § 1915(b)(2), the plaintiff is obligated to make monthly payments of 20 percent of the preceding month's income credited to the prisoner's account until the statutory filing fee of \$350.00 has been paid in full.

2. The Clerk shall issue summonses and the plaintiff shall complete service of the summonses and complaint in accordance with Rule 4 of the Federal Rules of Civil Procedure.

3. Because the plaintiff is proceeding *in forma pauperis*, he may elect to have the United States Marshals Service ("USMS") complete service with all costs of service to be advanced by the United States. If so asked by the plaintiff, the USMS shall serve a copy of the summonses, complaint, and this order upon the defendants as directed by plaintiff. The plaintiff is responsible for providing the USMS all copies for service and for completing a USM-285

form for each party to be served. The Clerk shall provide the plaintiff with forms and instructions for service by the USMS.

4. The plaintiff shall have 120 days from the date of the issuance of summonses to complete service.

5. The motion for appointment of counsel [Dkt. No. 3] is DENIED WITHOUT PREJUDICE to renewal once the defendants have responded to the complaint.

IT IS SO ORDERED.

10/2/2015  
DATE

/s/ Allison D. Burroughs  
UNITED STATES DISTRICT JUDGE